

RECEIVED
03 SEP 30 PM 6:23

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kelvin G. M. BROCKBANK et al.

Group Art Unit: 1636

Application No.: 09/835,818

Examiner: W. Sandals

Filed: April 17, 2001

For: CYCLOHEXANEDIOL CRYOPROTECTANT COMPOUNDS

RESUBMISSION OF ORIGINALLY FILED AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment, including a Rule 131 Declaration with Exhibits, and a copies of the date stamped filing receipts in the above-identified application. Applicants originally filed the Amendment and Declaration on January 21, 2003. However, according to a June 23, 2003 telephone conference with Examiner Sandals, the original Amendment and Declaration were never matched-up with the application. Applicants resubmitted the Amendment and Declaration on June 25, 2003. However, according to a September 29, 2003 telephone conference with Examiner Sandals, the resubmitted Amendment and Declaration were also never matched up with the application. Applicants respectfully request prompt consideration of the Amendment and Declaration.

Respectfully submitted,

William P. Berridge
Registration No. 30,024

H. James Voeller
Registration No. 48,015

WPB:HJV/hjv
Date: September 29, 2003

PTO RECEIPT FOR FILING OF PAPERS

The following papers have been filed:

Amendment w/ Appendix w/ Declaration Under § 1.131 w/ Exhibit A and Exhibit B

Name of Applicant: Kelvin G.M. BROCKBANK et al.

Serial No.: 09/835,818

Atty. File No.: 105452

Title (New Cases):

Sender's Initials: WPB:HJV/mmc

160/42



PATENT OFFICE DATE STAMP

**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

RECEIVED
03 SEP 30 1:16:24
OLIFF & BERRIDGE, PLC

ATTORNEYS AT LAW

277 SOUTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314

TELEPHONE: (703) 836-6400

FACSIMILE: (703) 836-2787

E-MAIL: O&B@OLIFF.COM

WWW.OLIFF.COM

September 29, 2003

By Facsimile

Ms. Debra J. Battjes Siler
Director, Research Operations
LIFE SCIENCE HOLDINGS, INC.
c/o ORGAN RECOVERY SYSTEMS, INC.
701 East Bay Street, Suite 433
MSC 1119, Port City Center
Charleston, South Carolina 29403

Re: U.S. Patent Application No. 09/835,818
Title: Cyclohexanediol Cryoprotectant Compounds
Inventor: Kelvin G. M. BROCKBANK et al.
Our Ref.: 105452

Dear Debra:

Further to our June 25 letter, we contacted the Examiner at the U.S. Patent and Trademark Office to inquire as to the status of the above-referenced application. According to the Examiner, the Patent Office has once again lost the June 25 filings. Accordingly, we today resubmitted the original Amendment and the Rule 131 Declaration with exhibits, along with a copy of the original date-stamped filing receipt. We hand-carried the filings directly to the Examiner.

We will continue to closely monitor the status of this application. Should you have any questions or comments regarding this matter, please do not hesitate to contact us.

Very truly yours,

William P. Berridge

WPB:HJV/tea



1636

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kelvin G.M. BROCKBANK et al.

Group Art Unit: 1636

Application No.: 09/835,818

Examiner: W. Sandals

Filed: April 17, 2001

Docket No.: 105452

For: CYCLOHEXANEDIOL CRYOPROTECTANT COMPOUNDS

AMENDMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

RECEIVED
JAN 24 2003
TECH CENTER 1600/2900

In reply to the October 21, 2002 Office Action, please amend the above-identified application as follows:

IN THE CLAIMS:

Please replace claim 12 as follows:

12. (Amended) A cryopreservation composition according to claim 11, wherein the at least one cyclohexanediol compound is selected from the group consisting of the cis form of 1,3-cyclohexanediol, the trans form of 1,3-cyclohexanediol, the cis form of 1,4-cyclohexanediol, the trans form of 1,4-cyclohexanediol, and racemic mixtures thereof.

REMARKS

Claims 1-19 are pending. By the Office Action, claims 1-10 are withdrawn from consideration; claim 12 is rejected under 35 U.S.C. §112, second paragraph; claims 11-15 are rejected under 35 U.S.C. §102(b); and claims 11-19 are rejected under 35 U.S.C. §103(a). By this Amendment, claim 12 is amended. No new matter is added. In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.